

Member of the New York Bar

30 Newport Parkway - Suite 2608
Jersey City, N.J. 07310

PHONE: (201) 795-0342
FAX: (201) 795-5571 (not for service)
E-MAIL: ronmcguire@att.net

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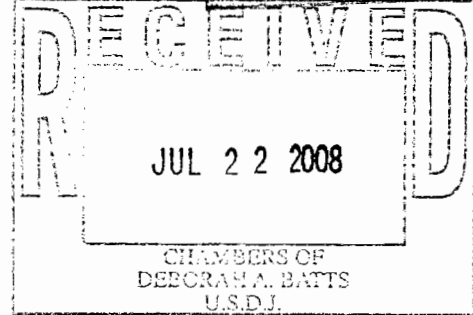
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DATE FILED: 7/23/08

July 21, 2008

BY FEDERAL EXPRESS

Honorable Deborah A. Batts
United States District Courthouse
Southern District of New York
500 Pearl Street
New York, N.Y. 10007-1312



Re: Kirkland v. Manatt, 08 CV 3371 (DAB)
Modification of Request For Adjournment Of Motion Schedule

Your Honor:

I am the attorney for the Plaintiff. I write to modify the request in my attached letter of July 15, 2008 to adjourn the briefing schedule for Defendants' motions to compel arbitration and stay or dismiss this lawsuit. Defendants' counsel have consented to my second request to adjourn the time for Plaintiffs to file papers opposing the outstanding motions to July 29, 2008 with Defendants' reply papers due on August 12, 2008.¹

GRANTED
/DAB/

This is Plaintiff's second request for an adjournment of the motion schedule set in your scheduling Order of July 10, 2008 (Docket #23). My papers were originally due on July 16, 2008. However, due to a personal and professional emergency I had to be out of my office last week and I requested a one week adjournment in my letter of July 15th. However, I subsequently received an unscheduled partial response to a pending Freedom of Information Law request which I needed to review and make objections to which required me to work over the weekend.

After returning to work on the opposition papers today I realized that I could not complete them by July 23rd, as originally requested.

SO ORDERED

DEBORAH A. BATTS
UNITED STATES DISTRICT JUDGE

7/23/08

¹ This request has been consented to by David S. Warner, counsel for Defendant Manatt, Phelps and Phillips, LLP and Pamela Quigley Devata, counsel for Defendant Kroll Background America, Inc. d/b/a/ InfoLink Screening Services, Inc.